

A purple-tinted photograph of an elderly woman with glasses and a young child smiling together. The woman is on the left, looking down at the child. The child is on the right, looking up and smiling. The woman is wearing a floral patterned top. The child is wearing a light-colored shirt. The background is a soft, out-of-focus light color.

# Supporting Your Guardianship

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CHILDREN'S ADMINISTRATION

Washington State Department of Social and Health Services



# Introduction

The most important job in any community is the care of children. As a guardian you have agreed to care for a child to adulthood when the child cannot live with his or her birth parents. You may be the child's relative or foster parent.

The financial, legal, and emotional issues of raising a child can be challenging. Successfully raising a child often depends on access to services. Children's Administration is committed to better coordinating and improving access to services for all guardian caregivers and the children in their care.

This booklet will help you in finding answers to questions about your responsibilities as a guardian and assist you in locating available community resources within Washington State.



# Your role and responsibilities

1. **To be the custodian** of the child and to maintain the physical custody of the child until the child is age 18 or further order of the court.
2. To protect, discipline and educate the child.
3. To provide food, clothing, shelter, education as required by law, and routine health care and counseling as needed for the child.
4. To consent to all necessary health and surgical care, including both routine and emergency treatment, to consent to the administration of anesthesia, to administer medication prescribed by the child's doctor or nurse practitioner; and to sign a release of health care information to appropriate authorities pursuant to law. The term "health care" includes, but is not limited to medical, dental, psychological and psychiatric care and treatment.
5. To consent to social and school activities of the child.
6. To provide an annual written accounting to the court regarding your receipt of any funds, benefits, or property belonging to the child and expenditures made there from.
7. To keep the court informed of current residential address and phone number.
8. To obtain the permission of the court before moving with the child out of the State of Washington.
9. To manage any visits between the child and siblings and/or parents as ordered by the court.

# Frequently asked questions

## LEGAL

**Q: Do I have the right to an attorney?**

**A:** You have the right have an attorney at all hearings relating to the dependency guardianship, although you may also choose to speak for yourself. You are responsible for the cost of having an attorney speak for you. RCW 13.34.090.

**Q: Can changes be made to the guardianship order?**

**A:** A dependency guardianship is regarded as a permanent placement for the child. The court can change a dependency guardianship order only when there is a big change of circumstances since the guardianship was set up and if it is in the child's best interest to do so. You must request a hearing from the judge to change a dependency guardianship order. RCW 13.34.233.

**Q: Does the parent have the right to visits with the child/youth? Who sets up the visits?**

**A:** At the time the dependency guardianship was established, the court should have made a decision about whether the parent has the right to have visitation or other contact with the child. The court will set the number of times visitation/contact can happen in its order setting up the dependency guardianship. RCW 13.34.232. It is the responsibility of the guardian to arrange with the parent the details of the visitation and to follow through with visitation.

**Q: How do I set up visits with any siblings?**

**A:** The relationship a child has with his or her siblings is often the longest and most important relationships and connections the child may have well into adulthood. These relationships should be maintained when they do not cause harm to the child's safety, health or well-being. There should be a discussion before setting up the guardianship as to the sibling connections and the frequency of contact the siblings should have. The court may include the visits or other contact between the child and siblings in the guardianship order. If so, you are responsible for making sure the guardianship order is obeyed.



# Frequently asked questions

## **LEGAL** (continued)

### **Q: How do I explain my role to the child, family, etc?**

**A:** Prior to the dependency guardianship being established, there will be a shared planning meeting to discuss the plan of guardianship. Parents, children, current caregivers and others are invited to that meeting. Through this meeting and later meetings with the social worker, all participants should have a good understanding of the guardian's role and responsibilities. The child will benefit from the cooperation of all parties in this permanent plan.



### **Q: Can I sign for the child to enter the military? Or Job Corps?**

**A:** If this is not specified in the court order setting up the guardianship, it is best to ask the court to authorize the consent for military service or the Job Corps due to the underlying dependency action.

### **Q: If I decide to adopt the child after the guardianship has been established, would Children's Administration help with the adoption and provide adoption assistance?**

**A:** Although it is possible to adopt a child who has been in a guardianship, it is unlikely that Children's Administration would be involved in helping with the adoption. Guardianship, like adoption is considered the permanent placement plan for the child, and the child is in his or her stable, permanent placement. Because a permanent plan had been established, it is unlikely the child would be eligible for adoption assistance. The only exception is for children who are SSI (Supplemental Security Income) eligible. Guardians can contact Children's Administration local office to learn what options are available if they choose to adopt.

# Frequently asked questions

## **LEGAL** (continued)

### **Q: Can I end the guardianship if things don't work out?**

**A:** A dependency guardianship is regarded as a permanent placement for the child. There are a number of services and legal actions intended to assist families who are in need, in order to keep children in their homes. If these services and actions are not enough, the juvenile court can end a dependency guardianship if there has been a big change of circumstances since the guardianship was set up, and then only if it is in the child's best interest to do so. RCW 13.34.233.

### **Q: Can I be sued for the actions of the child for whom I am the guardian?**

**A:** Anyone can be sued anytime. That does not necessarily mean that the case would go forward in court. A parent or guardian can be sued for the cost of any merchandise shoplifted by the child, up to \$500, plus a fine of up to \$200. RCW 4.24.230. A parent or guardian can also be held liable for his or her own actions in failing to watch over a child, if the parent or guardian knows the child has a tendency towards dangerous activity and fails to take care in controlling the child. See *Barrett v. Pacheco*, 62 Wash.App. 717, 815 P.2d 834 (1991).

# Frequently asked questions



## MEDICAL

**Q: Will the child continue to receive Medicaid? What if the Medicaid card doesn't come? Who do I call?**

**A:** The child will continue to receive Medicaid. You should call your local Division of Children and Family Service (DCFS) office or the Community Service Office (CSO) (depending where you got your Medicaid card) if you have difficulties with the card or you don't receive the card.

If you live out of state, you should contact the social service office in the state where you live.

## FINANCIAL

**Q: Can I collect child support payments from the birth parents?**

**A:** While the parents may be required to pay child support, the child support would go through the Office of Support Enforcement to pay back the state agency for the subsidy payment you receive for the child.

**Q: Will I continue to receive foster care payments or TANF (through child-only grant)?**

**A:** You will continue to receive subsidy payments through the SSPS system as long as you remain foster licensed. If you receive TANF benefits for the child, you will continue to receive those benefits as long as you comply with TANF requirements in Washington or the state where you live.

**Q: Can I sign for the child to drive a car? Who pays the insurance?**

**A:** As the guardian for the child, you may sign for the child to obtain a driver's license. You are responsible for any insurance costs related to the child driving.



# Frequently asked questions

## EDUCATION

**Q: Will I be able to home school the child?**

**A:** You have the responsibility and right to make educational decisions for the child.

**Q: Where can I go for help when my child is having difficulty being successful in school?**

**A:** Children's Administration in collaboration with a King County non-profit organization created the Education Advocacy Program to improve educational outcomes for children and youth in foster care. Youth in dependency guardianships may be eligible for this service on a case by case basis.

For more information on the Education Advocacy program, please contact the Treehouse Education Program Manager at 206-767-7000 or visit the Children's Administration's web site at <http://www1.dshs.wa.gov/ca/general/index.asp>

Team Child also provides advocacy services for all children and youth and have an advocacy manual available for free download on the website at: <http://www.teamchild.org>. **Team Child offices** are in the following locations:

<b>Spokane County Office</b> 1704 W. Broadway Spokane, WA 99201 (509) 323-1166 (509) 323-1169 Fax	<b>Snohomish County Office</b> 2731 Wetmore Ave, Suite 410 Everett, WA 98201 (425) 258-3132 (425) 259-3560 Fax	<b>Pierce County Office</b> 715 Tacoma Ave. S Tacoma, WA 98402 (253) 798-7982 (253) 572-4348 Fax
<b>Yakima County Office</b> 510 Larson Bldg. 6 South 2nd St. Yakima, WA 98901 (509) 573-4993 (509) 575-4404 Fax	<b>King County (Main) Office</b> 1120 East Terrace St. Suite 203 Seattle, WA 98122-7405 (206) 322-2444 (206) 381-1742 Fax	

***An additional advocacy program available to you as the guardian of the child is:***  
***Washington PAVE*** (Parents Are Vital in Education)  
6316 So. 12th St., Tacoma, WA 98465  
(253) 565-2266 (v/tty) | 1-800-5-PARENT (v/tty) | Fax: (253) 566-8052

# Frequently asked questions

## **EDUCATION** (continued)

**Q: Will private school be funded for the child?**

**A:** You are responsible for the costs of private education.

**Q: Will the child still be eligible for funding for after high school training and education?**

**A:** There are four programs specifically available for current and former foster youth that provide money to pay for college and other training beyond high school. A common application for all four of the programs listed below is available at: [www.collegesuccessfoundation.org/gs](http://www.collegesuccessfoundation.org/gs)

Criteria for each of the programs is listed below. If you think that your child qualifies based on the criteria, call the phone number listed with the program.

### ***Educational and Training Voucher (ETV)***

The ETV program can help pay up to \$5000 per year towards the cost of attendance for current and former foster youth up to age 21. If youth are enrolled before age 21, this program can extend to age 23. ETV can help pay for tuition, fees, books, room and board, school supplies and living expenses. With questions, please contact [etvwash@dshs.wa.gov](mailto:etvwash@dshs.wa.gov) or 1.877.4EDU.ETV (1-877-433-8388)

### ***Governors' Scholarship for Foster Youth***

The Governors' Scholarship provides up to \$5000 per year, for five years, for youth who will or have emancipated from foster care in Washington State to attend college. With questions, call 1-877-655-4097 or email [governorsscholarship@collegesuccessfoundation.org](mailto:governorsscholarship@collegesuccessfoundation.org).

### ***YMCA Transitions Scholarship*** (for participants residing in King County)

The YMCA Transitions scholarship is available to participants in the YMCA Transitions program OR those who meet the eligibility requirements. YMCA Transitions provides housing, independent living skills development, career development and educational support to young adults who have been in foster care. Recipients of the YMCA Transitions scholarship are eligible to receive up to \$4000 per year based upon the cost of attendance. For more information, contact 206-749-7578. YMCA Transitions Scholarship, 2100 24th Avenue South, Suite 250, Seattle, WA 98144

# Frequently asked questions

## **EDUCATION** (continued)

### ***Treehouse Coaching to College Scholarship (CTC)***

(for participants residing in King County)

Youth must be enrolled in the Treehouse CTC program to apply for this scholarship. Participants of the Treehouse CTC Program are eligible to receive up to \$5000 per year based upon the cost of attendance. With questions, please call 206-267-5147.

Another source of support for youth who are currently in foster care or have been in foster care in Washington, and who wish to attend college is

### ***The Foster Care to College program.***

A tier system was established for selection for the program. Applicants are put into 4 classes of priority:

- 1st priority – former foster care dependents with identified homes.
- 2nd priority – former foster care dependent without identified homes.
- 3rd priority – former dependency guardianships with identified homes.
- 4th priority – former dependency guardianships without identified homes.

*For information regarding this program, call your local Children's Administration (CA) office.*

### ***ILS (Independent Living Services)*** transitional services

are available to youth leaving Children's Administration care until the youth is 21 years old. Before the guardianship ordered is entered you should ask your social worker about services that may be available for a child in your care or contact the local Children's Administration office for more information.

**Q: Do I sign all paperwork for education purposes including for IEP's (Individual Education Plan) and 504 Plans (special education services)?**

**A:** As the child's guardian, you will sign all education documents related to IEP's and 504 plans.

## **HEALTH AND SAFETY**

**Q: Will the social worker continue to do health and safety checks?**

**A:** Health and safety checks are only done in cases where it has been ordered by the court. If the home remains licensed to receive payment for the care to the child, staff from Licensed Resources may contact the family for health and safety reviews.

# Frequently asked questions

## SERVICES / SUPPORTS

**Q: Will the child continue to have a social worker assigned?**

**A:** Case management services as previously provided by a social worker will not be available in a dependency guardianship unless ordered by the court. Dependency guardians who are licensed foster parents and receiving a monthly subsidy payment from Children's Administration will have staff assigned only to process subsidy payments. Information and referral to other services is available by calling the local CA office or the Foster Parent and Caregiver Support Line listed on page 13.

**Q: Who will provide information about other services available for the child?**

**A:** Information and referral services continue to be available through CA. A 24 hour information and referral service has been established to assist you in locating services for your child. The phone number is 1(800) 301-1868. See information entitled Resource Connections on the next few pages.

**Q: Will the child have access to mental health services and counseling?**

**A:** Access to mental health services and counseling will continue to be available through Medicaid. Additional funding for counseling may be approved on a case by case basis for those guardians who receive subsidy payment from Children's Administration. Mental health services and counseling may also be available through the guardians' private insurance if the child is added to the coverage.

Mental Health Crisis Line Information: The crisis line telephone number for your county or region is available on the DSHS Mental Health Division website at:

<http://www1.dshs.wa.gov/mentalhealth/crisis.shtml>

***Check the yellow pages in your phone directory under Crisis Intervention to get a local number. You may also call 211 between the hours of 8AM-5PM, Monday through Friday to get information on where to go for help.***

**Q: Will services for the child change if I move out of state?**

**A:** Services you are now receiving may change if you move out of state. You are required to obtain permission from the court before moving with the child out of Washington State. To learn what services may be available to you in the state where you plan to move, contact your local Children's Administration office.



# Frequently asked questions

## TRAINING AND SUPPORT NETWORKS

**Q: How can I get information about additional training on issues affecting my child?**

**A:** The Resource Family Training Institute offers training, free of charge, to all licensed foster parents, kinship families and dependency guardians. Guardians of dependent children are welcome to attend all classes provided statewide. On-line training is also available. For information, please call your local office to find out when and where trainings are offered. Information is also available at this website: <http://www1.dshs.wa.gov/ca/fosterparents/training.asp>

**Q: How do I find support groups?**

**A:** Through contracted services with two private agencies 50 hubs, buddy systems, support groups and/or mentoring groups have been developed around the state to provide support to guardians and foster parents.

A **hub** is one family at the center of several foster families facilitating monthly meetings and bringing the families together to share resources, ideas, respite and training.

A **support group** is foster parents meeting together regularly and informally to connect and network with each other.

A **buddy system** is the pairing of a veteran foster parent/family with a new foster parent/family. Sometimes, these individual pairings are brought together in a hub-type arrangement.

**Mentors** provide guidance and support to foster parents going through the licensing process.

*For information about supports groups in your area, contact the local Children's Administration office or the Foster Parent and Caregiver Support Line at 1-800-301-1868.*

# Important numbers and other resources

## IMPORTANT RESOURCE CONNECTIONS

The **Kinship Care in Washington State** website offers valuable information on:

Financial assistance

Health care

Drug and alcohol

Child care

Food assistance

Child support

Children with disabilities

Foster care

Kinship Navigators

Support groups

Free publications

Additional reading

National websites

Benefits check up

Legislative documents

*Visit the website at [www1.dshs.wa.gov/kinshipcare](http://www1.dshs.wa.gov/kinshipcare) or call 1-800-422-3263*



# Important numbers and other resources

## 24 HOUR INFORMATION AND REFERRAL PHONE NUMBERS

<i><b>Who to call</b></i>	<i><b>Day</b></i>	<i><b>Time</b></i>	<i><b>Phone #</b></i>
<b>CA Local office</b>	Monday thru Friday	8A-5p	Local #
<b>Foster Parent and Caregiver Support Line</b>	Monday thru Friday Weekends & Holidays	4:30P-8 A 24 hours	1 (800) 301-1868

### **Children's Administration Local Office:**

Information and referral for counseling, child care, medical care, transportation and other local service.

### **Foster Parent and Caregiver Crisis and Support Line: 1-800-301-1868**

If you or your child needs immediate support after regular business hours that can't wait until Children's Administration staff is available.

## **TRAINING**

Guardians of dependent children and kinship families are welcome to attend all classes provided statewide by the Resource Family Institute, free of charge, whether or not you are licensed. Training is provided throughout the state and on-line training is also available. For information about guardianship and kinship families training, please call your local DCFS office to get information on when and where trainings are offered. Information is also available at this website: <http://www1.dshs.wa.gov/ca/fosterparents/training.asp>.

## **SUPPORT NETWORKS** (hubs, support groups, buddy system, mentoring)

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# Important numbers and other resources

## ONLINE LIST OF RESOURCES

**Mental Health Crisis Line Information:** The crisis line telephone number for your county or region is available on the DSHS Mental Health Division website at: <http://www1.dshs.wa.gov/mentalhealth/crisis.shtml>.

**Children's Administration Foster Care Listserv:** Join the 400 people who have subscribed to the List Serve <http://listserv.wa.gov/cgi-bin/wa?SUBED1=fosterparents&&A=1> The list serve provides over 400 subscribers with information regarding new resources for the work you do in caring for children, information on parenting and resources to support you and the children in your care.

Visit **Kinship Care in Washington State** at website: [www1.dshs.wa.gov/kinshipcare](http://www1.dshs.wa.gov/kinshipcare) to learn more about the following topics or call 1 800 422-3263.

- Financial assistance
- Health care
- Drug and alcohol
- Child care
- Food assistance
- Child support
- Children with disabilities
- Foster care
- Kinship Navigators
- Support groups
- Free publications
- Additional reading
- National websites
- Benefits check up
- Legislative documents





## Notes

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*Washington State*  
Department of Social  
& Health Services

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**CA** Children's Administration

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